

Rx News Bulletin

Bureau of Narcotics & Dangerous Drugs

Missouri Department of Health and Senior Services

health.mo.gov/safety/bndd/index.php

Recent Violations at Hormone Therapy Clinics

The BNDD reminds prescribers of the basic requirements when authorizing the dispensing of controlled substances. The bureau has recently inspected several clinics around the state where physicians were allowing their drug registrations to be used unlawfully. In the clinics inspected by the bureau, the following circumstances existed:

- The clinic was owned and managed by people who were not physicians or part of a health system;
- The clinic advertised hormone therapies which include the prescribing, dispensing and administration of Schedule III testosterone products;
- There was no physician with drug registrations on site to examine, diagnose and treat the patients. The patients were examined and diagnosed by unauthorized staff;
- The clinic staff drafted prescriptions for controlled substances for the patients. The prescriptions were faxed to a physician at another routine basis. The prescriptions were for patients never seen or examined by the prescriber. There was no established prescriber/patient relationship;
- Patients' prescriptions were filled and the drugs were brought back to the clinic for storage and administration. This placed the clinic in unlawful possession since they took possession of patients' controlled substances and no one at the clinic had drug registrations;
- Basically, the clinics wanted to be able to practice medicine without a physician or drug registration. When they asked a doctor to sign all their prescriptions and provide them with drugs, the doctors agreed.
- The doctors were being medical directors for clinics they had never visited, prescribing drugs to patients without exams or proper charting.

Prescribers are reminded to be cautious when approached by a clinic to be a medical director at a location they do not practice act regularly or provide signed prescriptions without the required examinations and charting.

Prescribers Should Not Take Possession of Patients' Controlled Drug Prescriptions



Section 195.070.4, RSMo 2000, states, "A practitioners shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug."

If a practitioner dispensed a sample from their practice, then that practitioner may take the drugs back since they were the original dispenser. If the practitioner gave the patient a prescription, then the drugs dispensed by a pharmacy cannot come back and be held in the possession of the practitioner.

There are times when a practitioner wants the patient to bring their prior drugs into the office to be destroyed, before the practitioner issues a new prescription. In these cases, the practitioners should watch the patients destroy their own medications beyond reclamation. The practitioners should not take possession of them.

Insure Compliance with Self-Inspections

One of the most important parts of being a medical professional is the supervision of staff around you. It is not only important to train staff and have a controlled substance policy manual, but registrants must also supervise to insure their employees are complying with all of the requirements. It is useful to set aside a few minutes to make sure that:

- All licenses, registrations, and insurance policies are current;
- There are complete receipt records for all controlled drugs received;
- Inventories have been documented as required;
- All drug transfers have been documented as required;
- Dispensing logs are accurate and up-to-date; and
- All drugs are locked, secured and required.

Export Waiver Required to Take Controlled Substances on Medical Missions



Physicians, dentists, and veterinarians may take controlled substances with them when participating in international humanitarian or veterinarian charitable missions. These practitioners must contact the DEA and obtain an export waiver before legally leaving the United States with controlled substances. This waiver will only authorize the legal exportation from the United States. Practitioners must then obtain an import authorization from the competent national authority of destination, prior to entering that country. For more information contact the Bureau of Narcotics and Dangerous Drugs at 573.751.6321 or BNDD@health.mo.gov or visit the DEA's website at: www.deadiversion.usdoj.gov.

BNDD Participated in Patient Safety Conference



The Bureau of Narcotics and Dangerous Drugs participated in the Missouri 2015 Patient Safety Joint Regulatory Conference. The conference was hosted by the Division of Professional Registration's 10 medical licensing boards. The event focusing on patient safety was held on August 28, 2015 in Jefferson City. Over 300 licensees attended the conference.

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